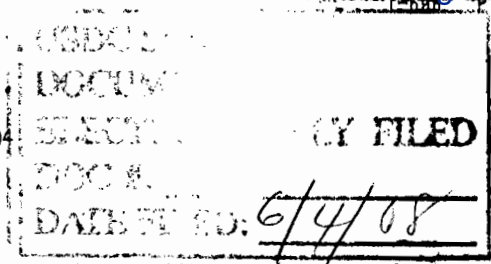


**NYCLU**

NEW YORK CIVIL LIBERTIES UNION

125 Broad Street
New York, NY 10004
(212) 607 3300
Fax (212) 607 3318
www.nyclu.org

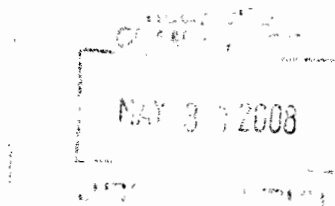


Christopher Dunn
Associate Legal Director
(212) 607-3300, ext. 326
cdunn@nyclu.org

BY FACSIMILE (212-805-7920)

May 30, 2008

Honorable Shira A. Scheindlin
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Suite 1620
New York, N.Y. 10007

Re: *Blair v. City of New York*, 08 Civ. 4303 (SAS)

Dear Judge Scheindlin:

On behalf of the plaintiff, I write to request an initial conference at the Court's earliest convenience. I also write to inform the Court of a ruling we received today in another case that bears on this case and on another case before the Court.

This case, which the Court recently accepted as related to the putative class action in *Floyd v. City of New York*, 08 Civ. 1034, presents a constitutional challenge to the NYPD's stop-and-frisk practices and a separate challenge to a database maintained by the NYPD about stops and frisks by police officers. Because discovery is starting in *Floyd* and because we believe it makes sense for discovery in this case to proceed in tandem with *Floyd*, we ask that the Court schedule an expedited initial conference.

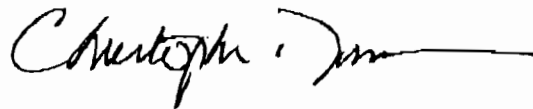
The plaintiff filed his complaint on May 7, 2008, and all defendants were served by May 8. When I received ECF notice last week that you had accepted this case as related to *Floyd*, I called the Law Department to discuss a schedule in light of *Floyd*. Earlier this week, I was able to speak with Assistant Corporation Counsel Heidi Grossman, who requested that the defendants be given an extension of time to file an answer. I consented to an extension but informed her that we did not want this to delay discovery in light of the fact that discovery was moving forward in *Floyd*. I expect that Ms. Grossman will be writing you shortly about her requested extension.

Meanwhile, I understand from Andrea Costello, counsel in *Floyd*, that the parties in that case already are engaged in motion practice over the *Floyd* plaintiffs' discovery request that the City produce the NYPD stop-and-frisk database. Because we also will be seeking that database for our case and because we believe there will be other overlapping discovery in the two cases, we think it would make sense for discovery in the two cases to be coordinated.

Towards this end, we believe that, though the City has not yet formally responded to the complaint, the Court should hold an initial conference to discuss how this case should proceed in relation to *Floyd*.

Finally, with respect to the database, I write to inform the Court that we received a ruling today from New York State Supreme Court ordering the NYPD to produce to the NYCLU the stop-and-frisk database (with certain redactions for private information we did not seek) for 2006 and the first half of 2007 pursuant to a request we earlier had filed under the New York Freedom of Information Law. I enclose a copy of the ruling for the Court's convenience.

Respectfully submitted,



Christopher Dunn

c: Assistant Corporation Counsel Heidi Grossman (by facsimile 212-788-9776)
Andrea Costello, Plaintiffs' Counsel in *Floyd* (by facsimile 212-614-6499)

An initial conference is scheduled
for June 9 at 11:00 a.m.

So Ordered.
[Signature]
12809-
6/3/08